
IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

PLANNED PARENTHOOD
ASSOCIATION OF UTAH, on behalf of
itself and its patients, physicians, and staff,

Plaintiff,

vs.

JOSEPH MINER et al.,

Defendants.

ORDER GRANTING STAY

Case No. 2:19-cv-0238-CW

Judge Clark Waddoups

This matter is before the court on State Defendant's Motion to Stay. Defendants request that the case be stayed until the United States Supreme Court has issued its ruling in *Gee v. June Medical*, Case No. 18-1460. The ruling is expected no later than June 30, 2020. Plaintiff Planned Parenthood Association of Utah opposes the motion.

The court has reviewed the briefing and finds Plaintiff and the Defendants have presented important considerations. It is unknown how the Supreme Court may rule. If the law remains the same, then Plaintiff has prudential standing, and a stay will cause an unnecessary delay in resolution of this case.

In contrast, depositions of experts require significant time and resources. If the law is changed, the impact on this case may be dispositive, and continuing expert discovery and summary judgment motions at this time would be wasteful. Additionally, a preliminary injunction is in place

precluding application of the abortion law at issue. As a result, Plaintiff's actions are not restrained and Plaintiff faces no risk of sanctions presently as a result of the law. Another consideration for the court is the length of the stay. A ruling is expected within six months.

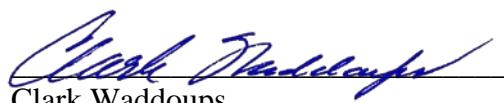
Weighing the interests stated above, balancing the potential harms to the respective parties, and considering the potential that this court may lack court authority to proceed with this matter, the court concludes the interests of justice are best served by staying the case.

Accordingly, the State Defendant's Motion to Stay the case is GRANTED (ECF No. 60), with one exception. To the extent rebuttal expert reports have not been exchanged, the parties are directed to complete those reports on or before **December 20, 2019**. Thus, if the case proceeds, all of the reports will be complete and ready for depositions.

The court directs Plaintiff to notify the court **within 14 days** once the Supreme Court issues its decision in *Gee v. June Medical*. The court will then set a Status Conference to determine how the case shall proceed.

SO ORDERED this 10th day of December, 2019.

BY THE COURT:


Clark Waddoups
United States District Court